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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,469	12/12/2003	Charles K. Crawford	Kimball.1002	9595
7590	08/03/2006		EXAMINER	
Hayes Soloway 4th Floor 175 Canal Street Manchester, NH 03101				DUNWOODY, AARON M
			ART UNIT	PAPER NUMBER
			3679	

DATE MAILED: 08/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/734,469	CRAWFORD, CHARLES K.
	<b>Examiner</b>	<b>Art Unit</b>
	Aaron M. Dunwoody	3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 12 December 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 13-32 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 13-32 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 12 December 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/17/2004</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Priority***

Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. [1] as follows:

This application appears to be a division of Application No. 10/014,163, filed 10/26/2001. A later application for a distinct or independent invention, carved out of a pending application and disclosing and claiming only subject matter disclosed in an earlier or parent application is known as a divisional application or "division." The divisional application should set forth the portion of the earlier disclosure that is germane to the invention as claimed in the divisional application.

### ***Information Disclosure Statement***

The information disclosure statement (IDS) filed 2/17/2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Drawings***

The drawings are objected to because the crosshatch is missing from gasket seal. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure

number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 13-32 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 3515416, Pickert.

In regards to claim 13, Pickert discloses a vacuum System, comprising:

a first vacuum component (15) having a first flange;

a second vacuum component (15) having a second flange;

a first clamp member (14, 21) capable of being secured around the perimeter of the first flange, the first clamp member having a first contact surface and a first coupling opening;

a second clamp member (14) capable of being secured around the perimeter of the second flange, the second clamp member having a second contact surface and a second coupling opening; and

a coupling member (17) insertable through the first and second coupling openings, the coupling member capable of providing a compressive force to urge the first contact surface to come into contact with the second contact surface.

In regards to claim 14, Pickert discloses the first vacuum flange has a groove (15a) along a peripheral edge.

In regards to claim 15, Pickert discloses a bead (24) on the first clamp member that engages the groove on the first vacuum flange.

In regards to claim 16, Pickert discloses the second vacuum flange has a groove along a peripheral edge.

In regards to claim 17, Pickert discloses a bead on the second clamp member that engages the groove on the second vacuum flange.

In regards to claim 18, Pickert discloses the coupling member is a threaded fastener that extends between the first clamp member and the second clamp member.

In regards to claim 19, Pickert discloses the first coupling opening has internal threads that cooperate with the coupling member.

In regards to claim 20, Pickert discloses the first clamp member is comprised of two or more identical parts.

In regards to claim 21, Pickert discloses a vacuum system, comprising:

a first vacuum component having a first flange;

a second vacuum component having a second flange;

a first clamp member capable of being secured around the perimeter of the first flange, the first clamp member having a first contact surface and a first coupling opening;

a second clamp member capable of being secured around the perimeter of the second flange, the second clamp member having a second contact surface and a second coupling opening;

a coupling member insertable through the first and second coupling openings;

and

a third vacuum component (16) disposed between the first vacuum component and the second vacuum component, and whereby coupling the first clamp member and the second clamp member seals the first vacuum component to a first portion of the third vacuum component and seals the second vacuum component to a second portion of the third vacuum system component.

In regards to claim 22, Pickert discloses the coupling member provides a compressive force to urge the first contact surface to come into contact with the first vacuum component.

In regards to claim 23, Pickert discloses the first vacuum flange has a groove along a peripheral edge.

In regards to claim 24, Pickert discloses a bead on the first clamp member that engages the groove on the first vacuum flange.

In regards to claim 25, Pickert discloses the second vacuum flange has a groove along a peripheral edge.

In regards to claim 26, Pickert discloses a bead on the second clamp member that engages the groove on the second vacuum flange.

In regards to claim 27, Pickert discloses the coupling member is a threaded fastener that extends between the first clamp member and the second clamp member.

In regards to claim 28, Pickert discloses the first coupling opening has internal threads that cooperate with the coupling member.

In regards to claim 29, Pickert discloses the first clamp member is comprised of two or more identical parts.

In regards to claim 30, Pickert discloses a vacuum system for coupling a first vacuum component with a flange to a second vacuum component with a flange, comprising:

a first clamping means for securing around the perimeter of the first flange, the first clamp means having a first contact surface and a first coupling opening;

a second clamping means for securing around the perimeter of the second flange, the second clamp means having a second contact surface and a second coupling opening; and

a coupling means for urging the first contact surface to come into contact with the second contact surface, the coupling means insertable through the first and second coupling openings.

In regards to claim 31, Pickert discloses a third vacuum component disposed between the first vacuum component and the second vacuum component, and whereby coupling the first clamping means and the second clamping means seals the first vacuum component to a first portion of the third vacuum component and seals the second vacuum component to a second portion of the third vacuum system component.

In regards to claim 32, Pickert discloses the coupling means is a threaded fastener that extends between the first clamping means and the second clamping means.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M. Dunwoody whose telephone number is 571-272-7080. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3679

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Aaron M Dunwoody  
Primary Examiner  
Art Unit 3679

.amd